

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

**CELLULAR SOUTH, INC. d/b/a
C SPIRE WIRELESS**

Plaintiff,

v.

**DIGITAS, INC. and
VNC COMMUNICATIONS, INC.,
d/b/a PHONEVALLEY**

Defendants.

Case No. 3:13-CV-00308-TSL-JMR

DEFENDANTS' UNOPPOSED MOTION TO FILE DOCUMENTS UNDER SEAL

COMES NOW Defendants Digitas, Inc. ("Digitas") and VNC Communications, Inc., d/b/a Phonevalley ("Phonevalley") (collectively "Defendants"), by and through their undersigned counsel, and submit the following:

1. Plaintiff Cellular South, Inc. d/b/a C Spire Wireless ("C Spire" or "Plaintiff") brought this lawsuit against Defendants in May 2013, alleging state law claims and requesting a declaratory judgment. *See* Docket Entry No. 1.

2. The deadline for Defendants to answer or otherwise plead is on September 3, 2013. *See* August 19, 2013 Text-Order Only. Defendants intend to file a motion to dismiss Plaintiff's Complaint on or before September 3, 2013.

3. It is anticipated that, as an exhibit to the memorandum in support of Defendants' motion to dismiss, Defendants will attach a Media Services Agreement ("MSA") that contains a confidentiality provision. It also is anticipated that the memorandum supporting the motion to dismiss will reference certain provisions from the MSA. Because both the memorandum and

certain exhibits will contain potentially confidential and sensitive information, Defendants request an Order permitting the filing of those documents under seal.

4. Defendants' counsel has consulted with Plaintiff's counsel and Plaintiff's counsel does not oppose this motion.

For these reasons, Defendants request entry of an Order allowing it to file the memorandum supporting Defendants' motion to dismiss, as well as the MSA included as an exhibit thereto, under seal.

This, the 29th day of August, 2013.

Respectfully submitted,

DIGITAS, INC. and VNC
COMMUNICATIONS, INC., d/b/a
PHONEVALLEY

By: /s/Fred L. Banks, Jr.
Counsel for Defendants

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CERTIFICATE OF SERVICE

I, FRED L. BANKS, JR., do hereby certify that I have this day filed a copy of the foregoing document with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

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THIS, the 29th day of August, 2013.

/s/ Fred L. Banks, Jr.
FRED L. BANKS, JR.